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OFFICE OF PETITIONS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT
01478-P0006B GSW/DC

Applicant	James R. Richard
Serial No. 09/853,104	Filing Date: May 10, 2001
Title of Application:	Tongue Cleaning Device
Confirmation No. 5802	Art Unit: 3765
Examiner	Alissa L. Hoey

MAIL STOP PETITION
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

**Petition for Revival of an Application for Patent
Abandoned Unintentionally under 37 CFR 1.137(b)**

Dear Sir:

The above-identified application became abandoned for failure to file a timely and proper response to the Final Office Action mailed on June 4, 2003, which set a three month period for response. The abandonment date of this application is December 5, 2003 (i.e., the day after the expiration date of the period set for response plus any extensions of time obtained therefore). Applicant first learned that the application went abandoned on or about February 25, 2004.

Express Mail Certificate: I hereby certify that this correspondence is today being deposited with the U.S. Postal Service as *Express Mail* bearing Express Mail No. EL 574 205 950 US in an envelope addressed to: Commissioner for Patents; P.O. Box 1450; Alexandria, VA 22313-1450.

March 19, 2004


Caroline B. Gahagan

Applicant Hereby Petitions for Revival of This Application

1. **Petition Fee.** Enclosed is a check in the sum of \$665.00. If there is any fee deficiency, please charge Account No. 19-4516.

2. **Proposed Response.** A Request for Continued Examination and Preliminary Amendment are enclosed as the response to the above-noted Final Office Action letter.

3. **Fee for RCE.** Enclosed is a check in the sum of \$385.00. If there is any fee deficiency, please charge Account No. 19-4516.

4. **Verified Statement.** Because this petition pursuant to 37 CFR 1.137(b) was filed (A) within 3 months of the date the applicant was first notified that the application was abandoned, and (B) within 1 year of the date of abandonment of the application, detailed information as to the cause of the delay is not being provided pursuant to MPEP 711.03(c)(III)(D). Should the Commissioner require such detailed information, such will be provided.

- (a) The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section

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1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,



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